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**State Water Resources Control Board**

January 24, 2019

System No. 1000630

Richard Hammond, Owner  
Moravia Wines  
3620 N. Bishop Avenue  
Fresno, CA 93723

**CITATION NO. 03-23-19C-018  
TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION  
FOR November 2018**

Enclosed is Citation No. 03-23-19C-018 (hereinafter "Citation"), issued to the Moravia Wines (hereinafter "Water System"), public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

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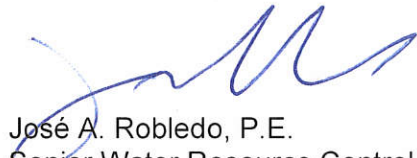
FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

265 West Bullard Avenue, Suite 101, Fresno, CA 93704 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Rakel Hairabedian of my staff at 559-447-3300.

Sincerely,

A handwritten signature in blue ink, appearing to read 'José A. Robledo', is written over the typed name.

José A. Robledo, P.E.  
Senior Water Resource Control Engineer  
Fresno District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

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Enclosures

Certified Mail No. 7018 0040 0000 3159 8961

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** Moravia Wines

**Water System No:** 1000630

**Attention:** Richard Hammond, Owner  
3620 N. Bishop Avenue  
Fresno, CA 93723

**Issued:** January 24, 2019

CITATION FOR NONCOMPLIANCE WITH  
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64426.1

TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION

NOVEMBER 2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part

12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues Citation No. 03-23-19C-018 (hereinafter "Citation"), pursuant to Section 116650 of the CHSC to the Moravia Wines Water System (hereinafter "Water System"), for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64426.1.

Applicable statutes and regulations can be found at:

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/Lawbook.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html)

#### STATEMENT OF FACTS

The Water System is classified as a transient - noncommunity public water system with an approximate population of 50, serving 2 connections. The Water System operates under Domestic Water Supply Permit No. 03-23-17P-015 issued by the State Water Board on December 26, 2017.

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants and the monitoring and reporting requirements as specified in regulations adopted by the State Water Board that pertain to maximum contaminant levels.

CCR, Title 22, Section 64426.1, Total Coliform Maximum Contaminant Level (hereinafter "MCL"), states that a public water system is in violation of the total

1 coliform MCL if it collects fewer than 40 bacteriological samples per month and if  
2 more than one sample collected during any month is total coliform-positive.

3  
4 The Division received laboratory results for four bacteriological samples, collected  
5 during November 2018 from the distribution system of the Water System. All  
6 samples were analyzed for the presence of total coliform bacteria. Three of the  
7 distribution samples tested positive for total coliform bacteria. None of the total  
8 coliform positive samples showed the presence of *Escherichia coli* (*E. coli*)  
9 bacteria. The required repeat sample set consisting of a source sample and three  
10 distribution samples was not collected. Additionally, only three of the required set of  
11 five "follow-up" distribution samples were collected during December 2018.

#### 12 13 DETERMINATION

14 The Water System took fewer than 40 bacteriological samples during November  
15 2018. The results of three samples were total coliform positive in November.  
16 Therefore, the State Water Board has determined that the Water System has failed  
17 to comply with drinking water standards pursuant to CHSC, Section 116555(a)(1)  
18 and CCR, Title 22, Section 64426.1 during November 2018. Public Notification and  
19 a Level 1 Assessment are required.

#### 20 21 DIRECTIVES

22 The Water System is hereby directed to take the following actions:

- 23 1. By **February 10, 2019**, The Moravia Wines water system shall provide  
24 public notification of November's coliform contamination by posting the  
25 notice provided as Attachment A in conspicuous locations throughout the  
26 area served by the water system.



1 By **February 28, 2019**, the Water System shall provide proof of public  
2 notification of the total coliform MCL violation for November 2018 by  
3 completing Attachment B and returning it via email to:

4 [dwpdist23@waterboards.ca.gov](mailto:dwpdist23@waterboards.ca.gov)  
5  
6

7 2. By **February 10, 2019**, the Water System shall collect four samples from  
8 the distribution system and one sample directly from the well and have them  
9 analyzed for total coliform bacteria.  
10

11 3. By **February 28, 2019**, the Water System shall complete and submit the  
12 enclosed "Level 1 Assessment" form to the Division that describes the  
13 incident, the results of an investigation and all corrective actions taken. The  
14 appropriate template is provided as Attachment C.  
15

16 4. Pursuant to Section 64423, the Water System shall maintain a  
17 bacteriological monitoring program as required by Title 22, CCR Section  
18 64423 and as outlined in Attachment D, "Bacteriological Monitoring  
19 Requirements for Small Water Systems".  
20

21 All submittals required by this Citation shall be electronically submitted to the State  
22 Water Board at the following address. The subject line for all electronic submittals  
23 corresponding to this Citation shall include the following information: Water System  
24 name and number, citation number and title of the document being submitted.  
25

26 [dwpdist23@waterboards.ca.gov](mailto:dwpdist23@waterboards.ca.gov)  
27

28 The State Water Board reserves the right to make modifications to this Citation as it  
29 may deem necessary to protect public health and safety. Such modifications may  
30 be issued as amendments to this Citation and shall be effective upon issuance.

1 Nothing in this Citation relieves the Water System of its obligation to meet the  
2 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,  
3 commencing with Section 116270), or any regulation, standard, permit or order  
4 issued or adopted thereunder.

5  
6 **PARTIES BOUND**

7 This Citation shall apply to and be binding upon the Water System, its owners,  
8 shareholders, officers, directors, agents, employees, contractors, successors, and  
9 assignees.

10 **SEVERABILITY**


11 The directives of this Citation are severable, and the Water System shall comply  
12 with each and every provision thereof notwithstanding the effectiveness of any  
13 provision.

14 **FURTHER ENFORCEMENT ACTION**

15 The California SDWA authorizes the State Water Board to: issue a citation or order  
16 with assessment of administrative penalties to a public water system for violation or  
17 continued violation of the requirements of the California SDWA or any regulation,  
18 permit, standard, citation, or order issued or adopted thereunder including, but not  
19 limited to, failure to correct a violation identified in a citation or compliance order.

20 The California SDWA also authorizes the State Water Board to take action to  
21 suspend or revoke a permit that has been issued to a public water system if the  
22 public water system has violated applicable law or regulations or has failed to  
23 comply with an order of the State Water Board, and to petition the superior court to  
24 take various enforcement measures against a public water system that has failed to  
25 comply with an order of the State Water Board. The State Water Board does not  
26 waive any further enforcement action by issuance of this Citation.

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José A. Robledo, P.E.  
Senior Water Resource Control Engineer  
Fresno District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

1/24/19  
\_\_\_\_\_  
Date



- Attachments [4]
- A. Public Notice
  - B. Proof of Public Notification – Compliance Certification
  - C. Level 1 Assessment form
  - D. Bacteriological Monitoring Requirements for Small Water Systems

Certified Mail No. 7018 0040 0000 3159 8961